srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2852 OF 2007.

Narayan Gopalrao Agarkar. ..Petitioners.

Versus.

Nashik Muncipal Corporation & Anr. ..Respondents.

Gourav Godadia for the petitioner.

J. Shekhar i/b M/s. J. Shekhar and co.., for the respondent no.1.

M. L. Patil for respondent no.2.

CORAM: S. B. MHASE &
D.G.KARNIK,JJ.

DATE: JULY 18, 2007.

P.C.

1. Heard learned counsel for the petitioner. The principal relief sought in this petition is that of cancellation of promotion given to the respondent no.2 and appointment of the petitioner in place of the respondent no.2, by way of promotion.

2. The petitioner had previously challenged the appointment of the respondent no.2 by filing writ petition No. 3019 of 2005. That writ petition was dismissed. This is the second writ petition filed for the same relief and therefore cannot be granted. In our opinion this is an abuse of the process of Court.

3. We have heard learned counsel counsel for the

petitioner. The only grievance made by the learned counsel for the petitioner is that the procedure for selection of the respondent no.2 was not proper. However, learned counsel could not point what rule has been infringed. In the circumstances, we find there is no merit in the petition. In the circumstances we dismiss the petition with cost which is quantified at Rs.1,000/- (Rs. One thousand only).

(D.G.KARNIK, J.) **(S.B.MHASE, J.)**